

IN RE: PETITION FOR VARIANCE
S/S Catanna Avenue, 136' E of
Jeanne Avenue
(Lots 32 & 33 Catanna Avenue)
13th Election District
1st Councilmanic District

Alex Kundrick
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-64-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Alex Kundrick. The Petitioner seeks relief from Sections 1B02.3.C.1, 303.1, and 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side setbacks of 8.5 feet and 10 feet, in lieu of the minimum required 15 feet, and a sum of the side yards of 18.5 feet in lieu of the required 40 feet; to permit a rear yard setback of 31.6 feet in lieu of the required 40 feet; and to approve the subject property as an undersized lot, and any other variances deemed necessary, in order to develop the property with a single family dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Alex Kundrick, property owner, and his son, Robert Kundrick. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of two lots, identified as Lots 32 and 33 of the subdivision known as Halethorpe Terrace, which contain a combined area of 4,400 sq.ft. (0.10 acres), zoned D.R.2. The Petitioner has owned the subject property since 1992 and is desirous of developing same with a single family dwell-

ORDER RECEIVED FOR FILING

Date

By

ing. Testimony revealed that the property was zoned D.R.5.5 until December 1996 at which time it was rezoned to D.R.2. In addition, the Petitioner does not own additional property which abuts the two lots in question. Therefore, he cannot meet the required lot width or area regulations in order to develop the property as proposed. The Petitioner testified that he intends to build a house that will be compatible with other houses in the neighborhood. In fact, the Petitioner submitted elevation drawings of the proposed house to the Office of Planning who has reviewed and approved same as being compatible with other homes in the surrounding community. However, due to the site constraints associated with the subject property, the requested variances are necessary in order to proceed as proposed.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result


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10/14/98
Bp

if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the subject property and that strict compliance with the zoning regulations will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of October, 1998 that the Petition for Variance seeking relief from Sections 1B02.3.C.1, 303.1, and 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side setbacks of 8.5 feet and 10 feet, in lieu of the minimum required 15 feet, and a sum of the side yards of 18.5 feet in lieu of the required 40 feet; to permit a rear yard setback of 31.6 feet in lieu of the required 40 feet; and to approve the subject property as an undersized lot and any other variances deemed necessary, in order to develop the property with a single family dwelling in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

October 14, 1998

Mr. Alex Kundrick
1108 Raven Drive
Arbutus, Maryland 21227

RE: PETITION FOR VARIANCE
S/S Catanna Avenue, 136' E of Jeanne Avenue
(Lots 32 & 33 Catanna Avenue)
13th Election District - 1st Councilmanic District
Alex Kundrick - Petitioner
Case No. 99-64-A

Dear Mr. Kundrick:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel; Case Files





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at Lots 32&33, Catanna Avenue, Helthorpe, Md
which is presently zoned DR-2

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1B02.3C.1, 303.1 and 304 BCZR TO PERMIT SIDE SETBACKS OF 8.5 AND 10 FT
AND A SUM OF SIDES OF 18.5 FT. IN LIEU OF A MINIMUM OF 15 FT AND 40 FT. RESPECTIVELY, TO PERMIT
A REAR SETBACK OF 3 1/2 FT. IN LIEU OF 40 FT.
AND ANY OF THE VARIANCES DEEMED NECESSARY, AND TO APPROVE AN UNDERSIZED LOT.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (indicate hardship or practical difficulty) **Hardship**

1. The subject property cannot be issued a building permit due to zoning change, the property was originally purchased to build a single family dwelling. The property has no value without a dwelling.
2. The proposed dwelling is simialr to existing dwellings on the street.
3. The zoning on the property was changed from DR-5.5 to DR-2 on 12/96.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

(We do solemnly declare and affirm under the penalties of perjury that I/we are the legal owner(s) of the property which is the subject of this Petition)

Contract Purchaser/Lessee

Legal Owner(s)

(Type or Print Name)

Alex Kundrick

(Type or Print Name)

Signature

Alex Kundrick

Signature

Address

(Type or Print Name)

City

State

Zipcode

Signature

Attorney for Petitioner

1108 Raven Drive W 410-765-3022
Address Phone No

(Type or Print Name)

Arbutus Maryland 21227
City State Zipcode

Name, Address and phone number of representative to be contacted

Signature

Robert A. Kundrick

Name

H 410-247-2051

1212 Poplar Ave., Arbutus, Md. 21227
Address Phone No

Address

Phone No

City

State

Zipcode

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

1/2 HR

the following dates

ANY

Next Two Months

ALL

OTHER

REVIEWED BY: JLL

DATE

8/6/98

Printed with Soybean Ink
on Recycled Paper

Revised 9/5/95

99-64-A

ORDER RECEIVED FOR FILING
Date 10/14/98
By [Signature]

#64

Zoning description for Catanna Avenue Lot 32 & 33

Beginning at a point on the South side of Catanna Avenue which is 40 feet wide at the distance of 136 feet from the centerline of the nearest improved intersecting street Jeanne Avenue, which is 40 feet wide. Being lot # 32 & 33, Block G in the subdivision of Halethorpe Terrace as recorded in Baltimore county Plat Book 7, Folio 72, containing 4400 square feet. Also known as Lot 32 & 33 Catanna Avenue and located in the 13th Election District, 1st Councilmanic District.

99-64-A

BALTIMORE COUNTY, MARYL D
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 056113

DATE

8/6/98

ACCOUNT

R006150

AMOUNT

\$ 100.00

RECEIVED
FROM:

KUNDRICK

FOR:

RV AND UNDERLIZED LOT APPVL

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
8/06/1998 8/06/1998 09:58:01

PER WS05 CASHIER (LSD) LXS DRAWER 5

MISCELLANEOUS CASH RECEIPT

Receipt # 069599

CR NO. 056113

100.00 CHECK

Baltimore County, Maryland

99-64-A

CASHIER'S VALIDATION

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-64-A
Catanna Avenue, Lots 32 & 33
S/S Catanna Avenue, 136' E of
Jeanne Avenue
13th Election District
1st Councilmanic District
Legal Owner(s): Alex Kundnok

Variance: to permit side setbacks of 8.5 and 10 feet and a sum of sides of 18.5 feet in lieu of a minimum of 15 feet and 40 feet, respectively; to permit a rear setback of 31-1/2 feet in lieu of 40 feet; and to approve an undersized lot and any other variances deemed necessary by the zoning commissioner.

Hearing: Tuesday, September 22, 1998 at 2:00 p.m., in Room 106, County Office Building, 111 West Chesapeake Avenue.

LAWRENCE E. SCHMIDT,
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call (410) 887-3353.

(2) For information concerning the File and/or Hearing, Please Call (410) 887-3391.

9/015 Sept. 3 C255581

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

Sept. 3, 1998

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Sept. 3, 1998.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

ZONING NOTICE

CASE # 99-64-A

**A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD**

PLACE: ROOM 106 COUNTY OFFICE BLDG.

DATE AND TIME: TUESDAY, SEPTEMBER 22,
AT 2:00 P.M.

REQUEST: VARIANCE FROM REQUIRED SIDE AND

REAR SETBACKS TO ALLOW A 8.5 FT. AND 10 FT.

WITH SUM OF 18.5 FT. SIDE SETBACK AND A 31.5 FT.

REAR SETBACK AND ANY OTHER VARIANCES

DEEMED NECESSARY AND TO APPROVE AN
UNDERSIZED LOT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

CERTIFICATE OF POSTING

RE: Case No.: 99-64-A

Petitioner/Developer: _____

ALEX KUNDRICK

Date of Hearing/Closing: 9-22-98

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at _____

1900 BLOCK CATANNA AVE. LOTS 32 & 33
HALETHORPE TERRACE

The sign(s) were posted on SEPT. 5, 1998
(Month, Day, Year)

Sincerely,

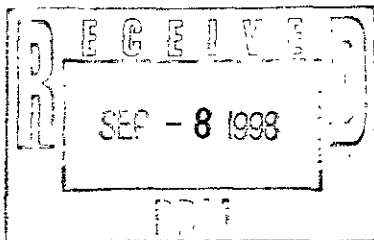
Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)



Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 99-64-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: VARIANCES FROM REQUIRED ~~FRONT~~ SIDE AND REAR SETBACKS
TO ALLOW A ~~FRONT SETBACK~~ 8.5 AND 10 FT. WITH SUM OF 18.5' SIDE
SETBACKS AND A 3 1/2 FT REAR SETBACK. AND ANY OTHER VARIANCES
DEEMED NECESSARY AND TO APPROVE AN UNDERSIZED LOT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 99-64-A

Petitioner: ALEX KUNDRICK

Address or Location: CATANNA AVE LOTS 32+33 BLOCK G
HALETHORPE TERRACE 21227

PLEASE FORWARD ADVERTISING BILL TO:

Name: ALEX KUNDRICK

Address: 1108 RAVEN DR.
BALTIMORE 21227

Telephone Number: 410-247-3813

TO: PATUXENT PUBLISHING COMPANY
September 3, 1998 Issue - Jeffersonian

Please forward billing to:

Alex Kundrick
1108 Raven Drive
Baltimore, MD 21227

410-247-3813

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-64-A
Catanna Avenue, Lots 32 & 33
S/S Catanna Avenue, 136' E of Jeanne Avenue
13th Election District - 1st Councilmanic District
Legal Owner: Alex Kundrick

Variance to permit side setbacks of 8.5 and 10 feet and a sum of sides of 18.5 feet in lieu of a minimum of 15 feet and 40 feet, respectively; to permit a rear setback of 31-1/2 feet in lieu of 40 feet; and to approve an undersized lot and any other variances deemed necessary by the zoning commissioner.

HEARING: Tuesday, September 22, 1998 at 2:00 p.m. in Room 106, County Office Building,
111 West Chesapeake Avenue


Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS
PLEASE CALL 410-887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-
887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 14, 1998

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-64-A
Catanna Avenue, Lots 32 & 33
S/S Catanna Avenue, 136' E of Jeanne Avenue
13th Election District - 1st Councilmanic District
Legal Owner: Alex Kundrick

Variance to permit side setbacks of 8.5 and 10 feet and a sum of sides of 18.5 feet in lieu of a minimum of 15 feet and 40 feet, respectively; to permit a rear setback of 31-1/2 feet in lieu of 40 feet; and to approve an undersized lot and any other variances deemed necessary by the zoning commissioner.

HEARING: Tuesday, September 22, 1998 at 2:00 p.m. in Room 106, County Office Building,
111 West Chesapeake Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

c: ~~Alex Kundrick~~
Robert A. Kundrick

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY SEPTEMBER 7, 1998.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 17, 1998

Mr. Robert A. Kundrick
1212 Poplar Avenue
Arbutus, MD 21227

RE: Item No.: 64
Case No.: 99-64-A
Location: Lots 32 and 33
Catanna Avenue

Dear Mr. Kundrick:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on August 6, 1998.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, appearing to read "Carl Richards, Jr.", is written over a typed name.

Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: August 21, 1998

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: Lots 32 and 33, Catanna Avenue

INFORMATION:

Item Number: 64
Petitioner: Alex Kundrick
Property Size: 4400 square feet
Zoning: DR
Requested Action: Variance
Hearing Date:

The property in question, known as Lots 32 & 33, Halethorpe Terrace is the subject of a request for Variances for side and rear yard setbacks and a request for approval to construct a single family dwelling on an undersized lot. The property was part of a Comprehensive Zoning Map Issue, 1-006, in 1996 in which a 167± acre area of Halethorpe was rezoned from DR 5.5 to DR 2. This rezoning occurred due to a history of drainage problems and infrastructure deficiencies in the area. The DR 2 zoning was also more compatible with the existing density of the older surrounding neighborhood. It was the intent of the Baltimore County Council's rezoning to allow new infill development to occur at the DR 2 density. It should be noted, however, that some curb and storm drain improvements have occurred notably on Catanna Avenue.

If the applicant demonstrates sufficient hardship or practical difficulty and the variances requested are granted the Office of Planning will recommend approval of the undersized lot request with the architectural elevation drawings as submitted.

Section Chief: _____

Jeffrey W. Long

AFK:DI:lsn

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

DATE: Aug 21, 98

SUBJECT: Zoning Advisory Committee
Meeting Date: Aug 17, 1998

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 55 61
56 65
57
58
59
62
(64)
66
67

RBS:sp

BRUCE2/DEPRM/TXTS8P

B A L T I M O R E C O U N T Y , M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: August 21, 1998

FROM: *Jul* Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for August 24, 1998
 Item Nos. 057, 059, 060, 062, 063,
 (064) 065, 066, and 067

Revised plans (with no review) for
Case #99-24-SPHXA
(6350 Frederick Road)

The Development Plans Review Division has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams
Administrator

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 8.14.98
Item No. 064 JLL

Dear Ms. Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Thank you for the opportunity to review this item.

Very truly yours,

R. J. Gredlein
for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR VARIANCE
Lots 32 & 33 Catanna Avenue, S/S Catanna
Ave, 136' E of Jeanne Ave, 13th Election District,
1st Councilmanic

Legal Owners: Alex Kundrick

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
*
* Case Number: 99-64-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of Sept., 1998, a copy of the foregoing Entry of Appearance was mailed to Robert A. Kundrick, 1212 Poplar Avenue, Baltimore, MD 21227, representative for Petitioner(s).


PETER MAX ZIMMERMAN



BALTIMORE COUNTY GOVERNMENT
DEPARTMENT OF PUBLIC WORKS
DIRECTORS OFFICE

#64

FLOODPLAIN REQUEST FORM

TAX ACCOUNT NO.: _____ DISTRICT : 13

ADDRESS : lots 32 & 33 Catanna Ave

NEAREST INTERSECTION : Nannah Avenue

SUBDIVISION NAME (IF APPLICABLE): Halethorpe Terrace

TAX MAP NO.: _____ BLOCK NO.: _____ PARCEL NO.: _____

OWNER'S NAME: _____

REQUEST BY: zoning — John Lewis

ADDRESS: _____

REQUEST : _____

OFFICE USE ONLY

FLOODMAP: 240010-510 FLOODWAY MAP: _____

ZONE: C ELEVATION: _____ NOT IN FLOODPLAIN: _____

INQUIRY: ☒ WALK-IN: _____ FAX: _____ LETTER: _____ OTHER: _____

DATE: 8/6/98 BY: Suzanne Hall

RESPONSE : _____

DATE : _____

SENT COPY OF FEMA MAP _____ SENT CORRESPONDENCE: _____

COMMENTS : This is not part of flood study. —
FIRM shows zone C. shak

99.64-A

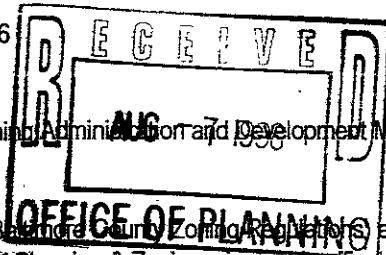
INTER-OFFICE CORRESPONDENCE

TO: Director, Office of Planning and Zoning
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

FROM: Arnold Jablon, Director, Zoning Administration and Development Management

RE: **Undersized Lots**

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Zoning prior to this office's approval of a dwelling permit.



ORIGINALS OF ALL
FO. FORWARDED
TO O.P. ERV MCD.
8/6/98

SEE ITEM # 64 (ZONING VARIANCE)
SEE ATTACHED PRIOR
O.P. REVIEW FOR UNDERSIZED
LOT.

MINIMUM APPLICANT SUPPLIED INFORMATION:

☐ Alex Kundrick 1108 Raven Drive, Arbutus, Maryland 21227 410-247-3813
Print Name of Applicant Address Telephone Number

☐ Lot Location Lots 32&33 Catanna Avenue Election District 13 Council District 1 Square Feet 4,400

Land Owner Alex Kundrick Tax Account Number 13-10-000300

Address 1108 Raven Drive Telephone Number 410-247-3813
Arbutus, Maryland 21227

☐ **CHECKLIST OF MATERIALS:** (to be submitted to the Office of Planning and Zoning)

	YES	PROVIDED?	NO
1. Permit Application	—	—	✓
2. Site Plan	✓	—	—
Property	✓	—	—
Photogrametric Map (available in Rm 206 C.O.B.)	✓	—	—
3. Building Elevation Drawings	✓	—	—
4. Photographs	✓	—	—
Adjoining Buildings	✓	—	—
Surrounding Neighborhood	✓	—	—

Processing Fee Paid
Code 030 & 080
Accepted by <u>JLL</u>
DATE <u>8/6/98</u>

TO BE FILLED IN BY THE OFFICE OF PLANNING AND ZONING ONLY!

RECOMMENDATIONS/COMMENTS:

☐ Approval ☐ Disapproval ☒ Approval conditioned on required modifications of the permit to conform with the following recommendations:

Subject to approval of requested variances
(Case 99-64A)

Signed by:

for the Director, Office of Planning & Zoning

Date:

8/25/98

INTER-OFFICE
RECOMMENDATION

Post-It® Fax Note

7671

Date <u>5/22/98</u>	# of Pages <u>1</u>
To <u>Robert Kundrick</u>	From <u>Ervin McDaniel</u>
Co./Dept.	Co. <u>Balto Co. Planning</u>
Phone #	Phone #
Fax # <u>1-301-490-2679</u>	Fax # <u>410-881-5862</u>

TO: Director, Office of Planning and Zoning
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

FROM: Arnold Jablon, Director, Zoning Administration and Development Management

RE: Undersized Lots

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning & Zoning prior to this office's approval of a dwelling permit.

BRIEFING APPLICANT SUPPLIED INFORMATION:

☐ PAGE NEW HOMES 1400 GLOSTER AVE BALTO. MD. 21250 - 410-525-2743
 (Name of Applicant) (Address) (City/State/Zip) (Telephone Number)

☐ Lot Address LOTS 32, 33 CATALPA AVE Election District 1.3 Council District 6 Square Feet 64,069
 (Lot Address) (Election District) (Council District) (Square Feet)

Lot Location: NE 1/4 corner of CATALPA AVE 20' East from NE 1/4 corner of JEANNE AVE
 (Lot Location) (Distance) (Corner of)

Land Owner Alex Kundrick Tax Account Number 13-10-000350
 (Land Owner) (Tax Account Number)

Address 1108 RAVEN DR Telephone Number 410-247-3813
BALTIMORE, 21229
 (Address) (City/State/Zip) (Telephone Number)

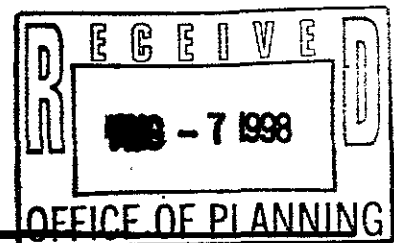
☐ CHECKLIST OF MATERIALS: (to be submitted for design review by the Office of Planning and Zoning)

PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	<u>✓</u>	<u> </u>
2. Permit Application	<u> </u>	<u>✓</u>
3. Site Plan	<u> </u>	<u> </u>
Property (3 copies)	<u> </u>	<u> </u>
Topo Map (available to the lot owner) (2 copies)	<u> </u>	<u> </u>
(Owner to fill out)	<u> </u>	<u> </u>
4. Building Elevation Drawings	<u> </u>	<u> </u>
5. Photographs (show lot all photos clearly)	<u> </u>	<u> </u>
Adjoining Buildings	<u> </u>	<u> </u>
Surrounding Neighborhood	<u> </u>	<u> </u>

Residential Processing Fee Paid
Codes 030 & 030 (\$30)

Accepted by
Date



TO BE FILLED IN BY THE OFFICE OF PLANNING AND ZONING ONLY

RECOMMENDATIONS/COMMENTS:

☐ Approval ☒ Disapproval ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

Staff has reviewed the undersized lot application for 1944 Catana Ave and recommends the application be Disapproved for the following reason:

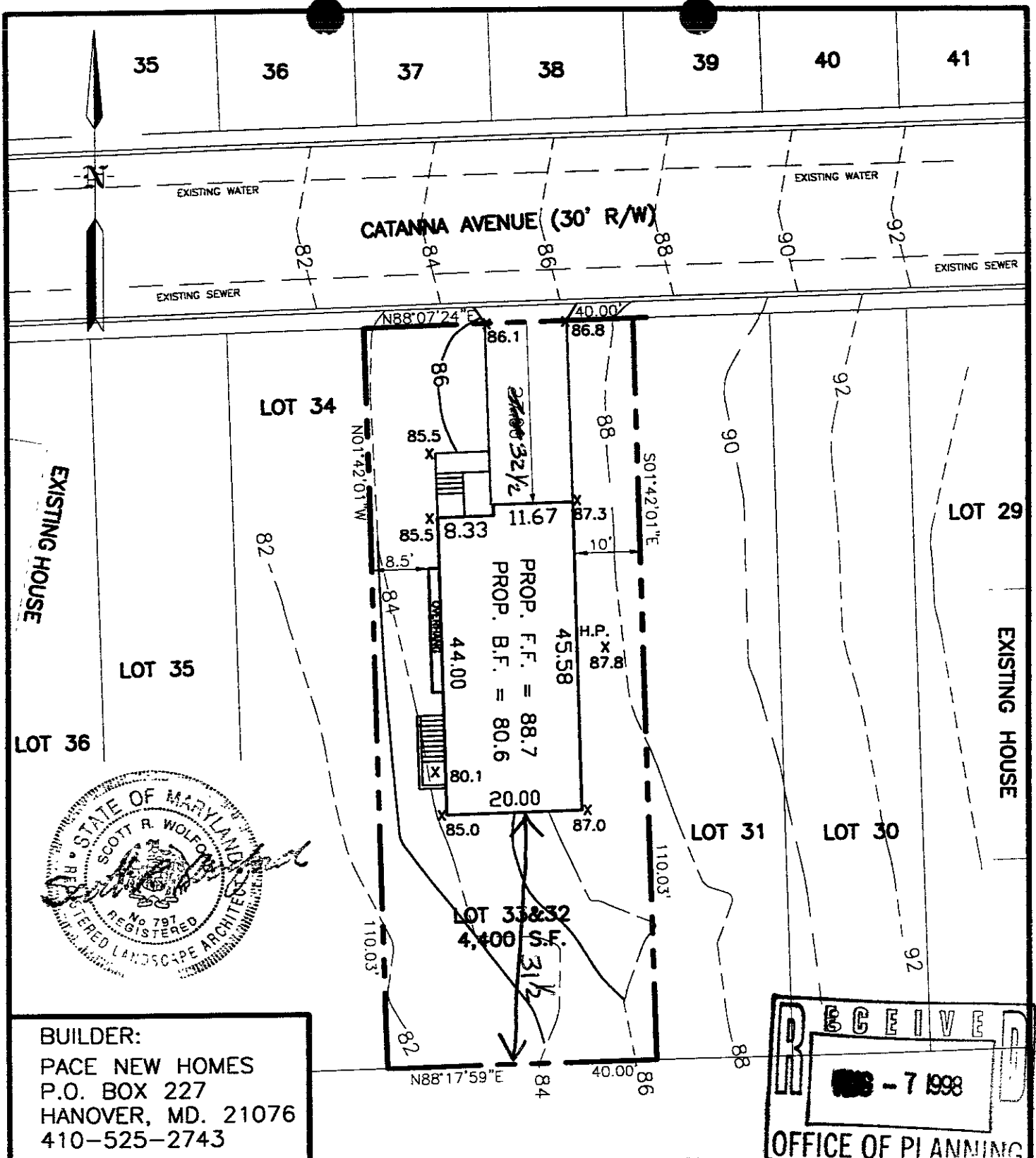
1. Pursuant to Section 1B02.3C.1 of the Baltimore county Zoning Regulations, the lot width and area setbacks are for D.R. 2 zones and require variances. (See attached map and Zoning Regulations.) The variance hearing for this site should occur prior to or in conjunction with the undersized lot review.

Signed by:

Ervin McDaniel
 (Name of Signatory, Office of Planning & Zoning)

Date:

5/25/98



PREPARED BY:

GPI GREENMAN-PEDERSEN, INC.
ENGINEERS, ARCHITECTS, PLANNERS, CONSTRUCTION ENGINEERS & INSPECTORS
14502 GREENVIEW DRIVE, SUITE 100, LAUREL, MD. 20708
WASH. (301) 470-2772 BALT. (410) 880-3055
FAX: (301) 490-2649 www.gpinet.com

SITE PLAN
FOR
HELTHORPE TERRACE
LOTS 32&33
13TH ELEC. DISTRICT

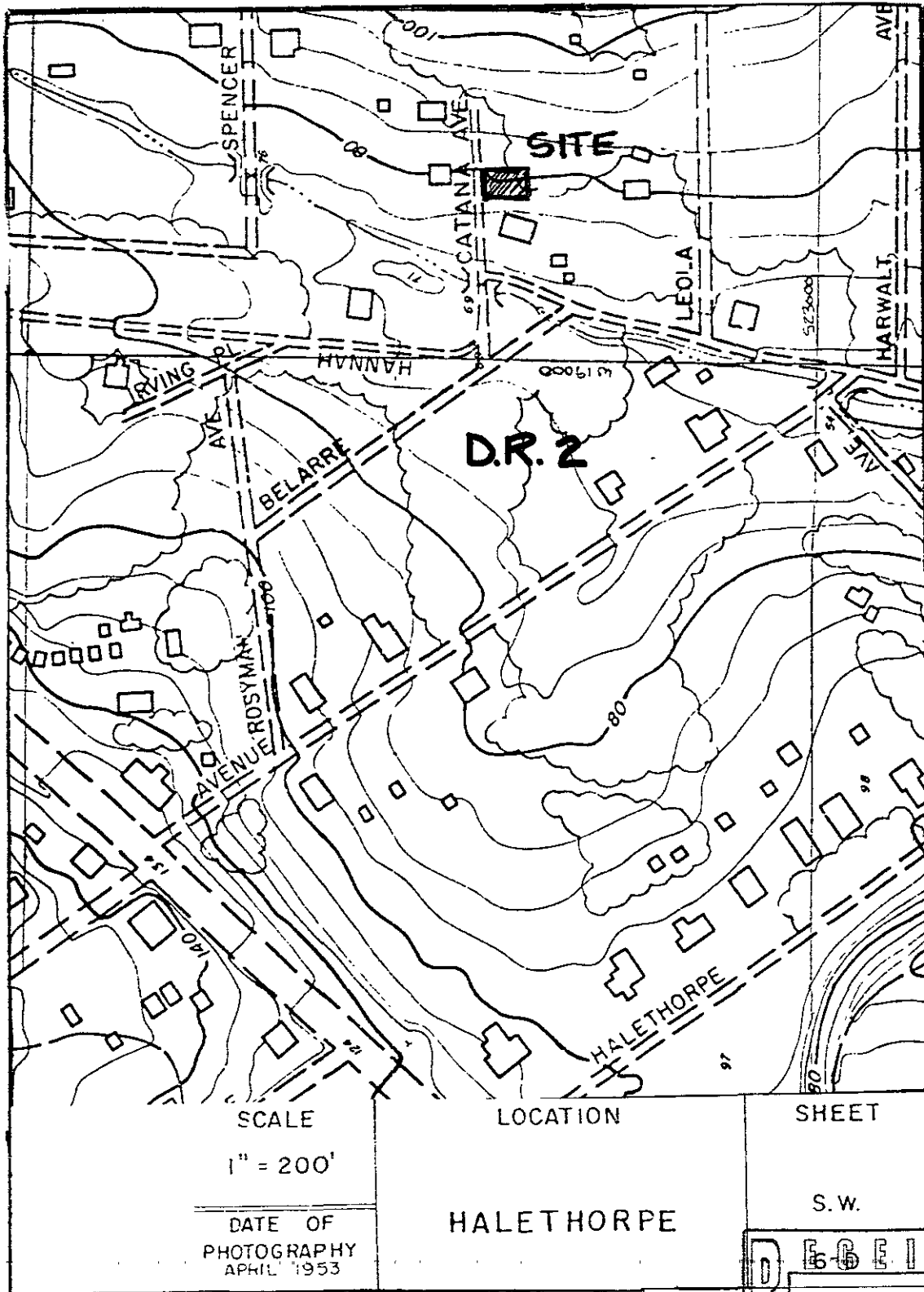
DRAWN BY: R.A.K.

SCALE: 1"=20'

DATE: 07-28-98

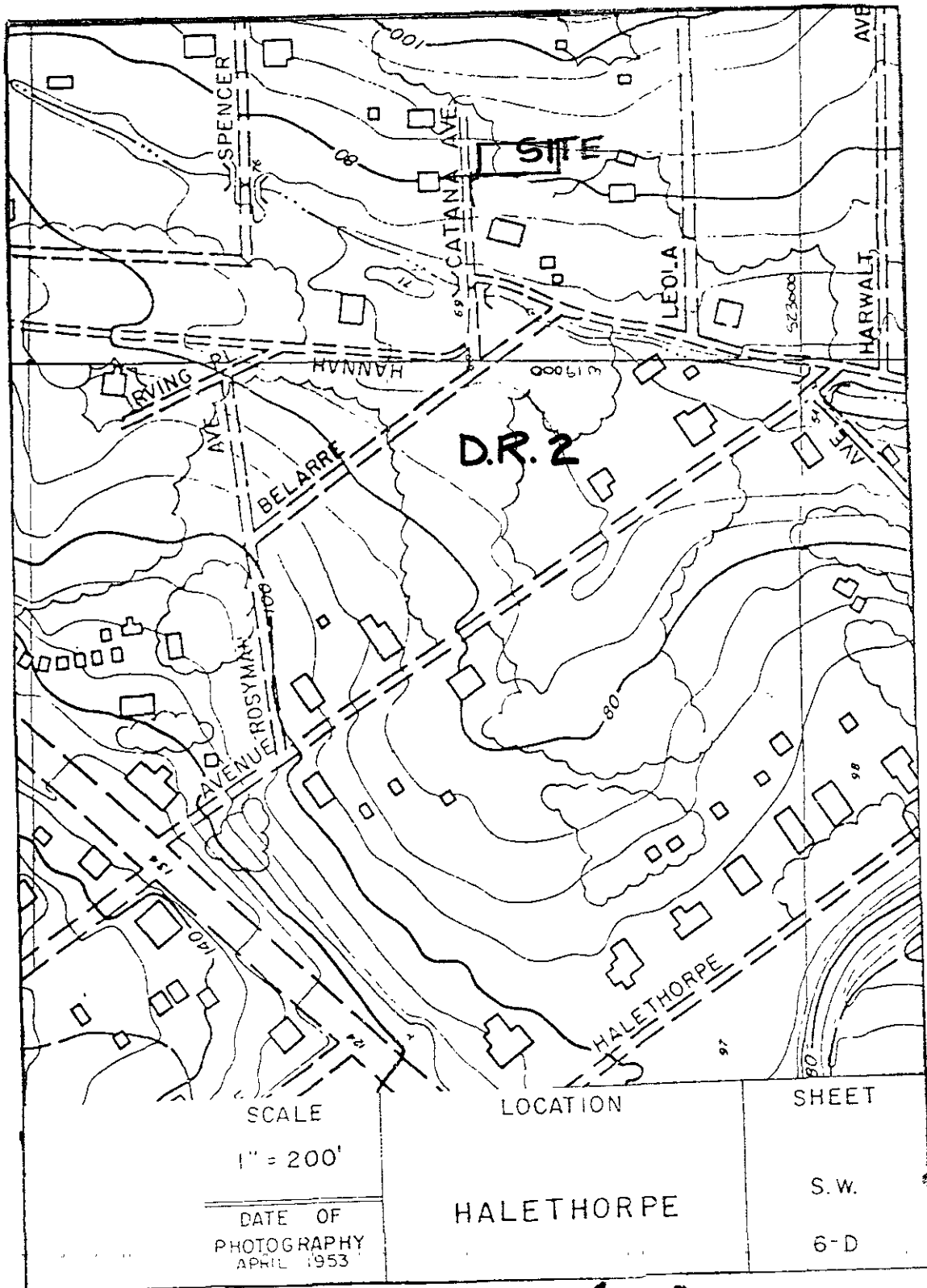
JOB NO. CATANNA

FILE=LOT33.DWG



RECEIVED
AUG - 7 1953
OFFICE OF PLANNING

Zoning Map



99-64-A

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

see pages 5 & 6 of the CHECKLIST for additional required information.

PROPERTY ADDRESS: LOTS 32&33, CATANNA AVENUE

Subdivision name: HELTHORPE TERRACE

plat book# 7 folio# 72 section# 32&33

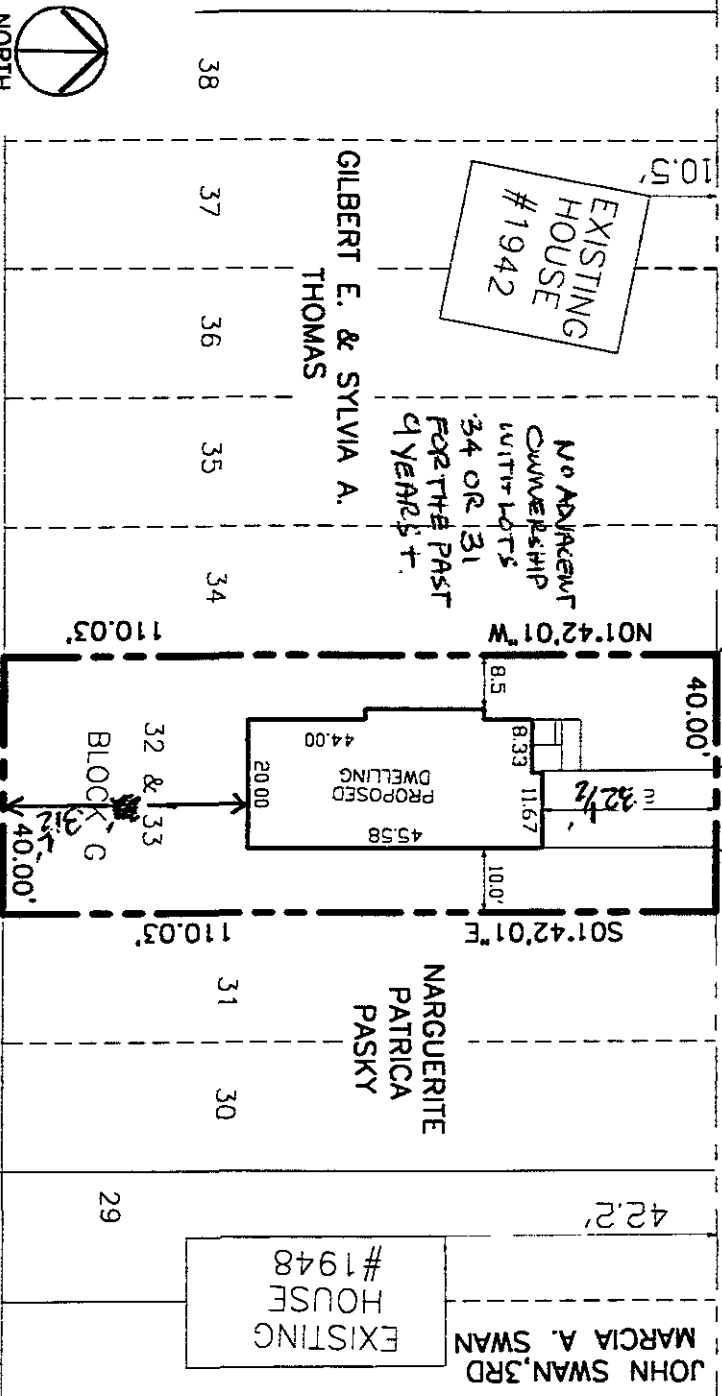
OWNER: ALEX KUNDRICK

33	34	35	36	37	38	39	40	41
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HELTHORPE TERRACE

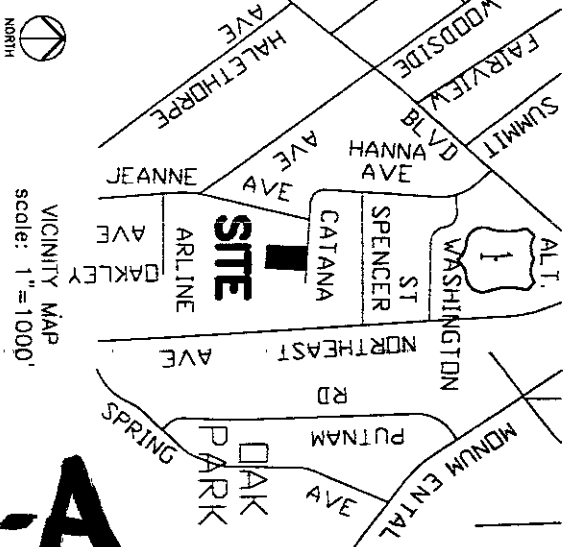
Block 41

136' TO THE C/L
JEANNE AVE.
EXISTING SEWER
EXISTING WATER
CATANNA AVENUE (30' R/W)
N88°07'24"E
N88°17'59"E
EXISTING WATER
EXISTING SEWER
DEAD END



date: 7/21/98
prepared by: ROBERT KUNDRICK Scale of Drawing: 1" = 30'

NO OTHER DWELLINGS ARE WITHIN 200' OF JOINT PROPERTY LINES, OTHER THAN THESE. FRONT AVERAGE SETBACK=10.5+42.2=52.70+44.2=96.9±332.3'



99-64-A

LOCATION INFORMATION

Councilmanic District: 1ST

Election District: 13TH

1"=200' scale map# SW D6

Zoning: DR 2

Lot size: 0.1010 acreage 4,400 square feet

SEWER: ☒ public ☐ private
WATER: ☒ public ☐ private

Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings: NONE

FLOOD PLAIN: NO

Zoning Office USE ONLY!

reviewed by: SV ITEM # 16 CASE #

END STREET

99, 64-A

CATANA AVE

LOTS 47, 48 1953

LOTS 44-46 1951

LOTS 38-43 owned by FRANKIE LOMA 1946

1946

LOTS 32-37 owned by AUSTIN BERRY HOUS SITS ON LOTS 365, 387D

LOTS 32-33-34-35 1947

1952 LOTS 25-27

1948 LOTS 28-29

LOTS 31-30

LOTS 33-32

LOTS 34-39

1942

